THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 34951 OF 1998

Dated 4th April, 2007

Between:

L.Srikanth

…Petitioner

And

The State of A.P., represented by its Secretary, Education (EC-2), Secretariat Buildings, Hyderabad and another.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioner has questioned the cancellation of the admission of the petitioner by the 2nd respondent-college vide proceedings No.VRSEC/Admn.NRI/98-99/821, dated 7.12.1998.

The petitioner was admitted into B.Tech.- Electrical and Electronics Engineering Course during the academic year 1998-99. He was admitted under the management quota. However, his admission was cancelled by the impugned order on the ground that he is not having first class marks in the Intermediate examination in terms of G.O.Ms.No.256, Education (E.C.2) Department, dated 17.11.1993. Such a requirement was contemplated in Clause 2(ii) of the said G.O., which was questioned before this court in a batch of cases in Writ Petition No. 16 of 1994 and batch. In the said batch of writ petitions, this Court upheld the validity of the said G.O.. It further held that whoever gets 60% of marks or more, either in original examinations or in the instant examinations should be treated as having secured first class and they should be allowed to complete the course. In this case, the petitioner secured first class marks in the instant examination, and, at the stage of admission, this court has granted interim order suspending the cancellation order. It is stated that the petitioner had continued and completed the course.

Though the writ petition is of the year 1998, no counter affidavit is filed by the respondents.

Inasmuch as the petitioner secured first class marks in the instant examinations conducted by the Intermediate Board and in

view of the judgment of this court in W.P.No.16 of 1994 and batch, dated 27.2.1998, the order of cancellation dated 7.12.1998 is set aside. The admission of the writ petitioner into the B.Tech. – Electrical and Electronics Engineering course shall be treated as valid one for all purposes.

Subject to above directions, the writ petition is disposed of. No costs.

_____

4-4-2007 **R.SUBHASH REDDY, J.**

VR